

REMARKS

Claims 7 – 14 are pending. An objection raised to claims 7 – 11 and a rejection of claim 12 under Section 112 are addressed in accord with the Examiner's suggestion and comment. Claims 7 – 11 were rejected under Section 101 as directed to non-statutory subject matter. While applicant respectfully disagrees with that conclusion, claim 7, from which claims 8-14 depend is amended to further recite statutory subject matter, including the features of

placing one or more of the components into operation to perform a function relating to operation of the installation or taking one or more of the components out of operation

and

placing one of the other components into operation to perform a function relating to operation of the installation or one of the other components out of operation based on summation of numerical values.

Based on these amendments removal of the rejection is requested.

Claims 12-14 were rejected for including both machine and process limitations. The rejection cites MPEP 2173.05(p) in support of the determination. Applicant urges that the amendment to claim 12 fully addresses this rejection in that the claim now characterizes the language, previously construed as process limitations, as an operating configuration of the control unit. That is, the control unit of claim 12 may, for example, be programmed to perform certain activities, e.g., initiate an evaluation; total the numerical values of each component; use the totaled numerical values to determine those components which are to be activated or deactivated next; assign to at least one component at least one initialization value; and add the initialization value to the totaled numerical values of the component. For this reason, removal of the rejection is now requested.

(Please proceed to the next page.)

Conclusion

All of the rejections and objections have been addressed. It is urged that the claims define allowable subject matter and allowance of the application is requested. The Commissioner is hereby authorized to charge any appropriate fees due in connection with this paper or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

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